

AD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Somnath MUKHERJEE, et al.

SERIAL NO: 10/010,615

GAU: 2133

FILED: November 8, 2001

EXAMINER:

LOSSY LINEARIZERS FOR ANALOG OPTICAL TRANSMITTERS

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
U.S. PATENT & TRADEMARK OFFICE
ALEXANDRIA, VIRGINIA 22313

SIR:

Petitioner, C-COR NET CORPORATION, is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment.

Your petitioner hereby disclaims the terminal part of any patent granted on the above-captioned application, the period of disclaimer equivalent to the lesser of:

- (i) The period of abandonment of the application: or
- (ii) The period extending beyond twenty years from the date on which the application for the patent was filed in the United States or, if the application contains a specific reference to an earlier filed application(s) under 35 U.S.C. 120, 121, or 365(c), from the date on which the earliest such application was filed.

CERTIFICATION UNDER 37 C.F.R. 3.73(b)

I, the undersigned, certify that I am an individual empowered to act on behalf of petitioner, C-COR NET CORPORATION, the assignee of the entire right, title and interest of the above-captioned application by virtue of an assignment from the inventor(s) of said application, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 012378, frame(s) 0163.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

03/18/2004 SFELEKE1 00000091 10010615

02 FC:1814

110.00 OP

3/17/04

Date Signed

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

James J. Kulbaski

Registration No. 34,648

Customer Number

22850

Tel. (703) 413-3000

Fax. (703) 413-2220

(OSMMN 05/03)

I:\ATTY\MM\KONGKHAM\249240.TD..DOC